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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR08-00477 DLJ
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	EXCLUDING TIME UNDER THE
v.	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
	)	ET SEQ.
EDITH NELSON,	)	
RONALD NELSON,	)	
NELDA ASUNCION, and	)	
CRISTETA LAGAREJOS,	)	
	)	
Defendants.	)	
	)	
	)	

IT IS HEREBY STIPULATED AND REQUESTED, by and between the parties to this action, that the current status date of November 19, 2010 at 10 a.m. be vacated and reset for February 25, 2011 at 9 a.m. In this mortgage loan fraud case, which this Court has ruled is “complex” under the Speedy Trial Act, voluminous discovery was provided to the defense, including extensive computer data seized during the execution of search warrants. Since the last court date, the government has provided, pursuant to a defense request, written assistance in determining from which computers the files originated. Further, the parties need more time to evaluate the complicated issues of loss and restitution. All of these matters are very time-consuming.

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1 In addition, the undersigned Assistant United States Attorney will not be available on  
 2 November 19, 2010 as the result of a court proceeding in the Eastern District of California on that  
 3 date when a new trial schedule will be set. Government's counsel also will be out of the office for  
 4 most of the remainder of November 2010 and for most of the month of December 2010 as the result  
 5 of an out-of-district conference and use-or-lose annual leave. Defense Attorney Joyce Leavitt will  
 6 be out of the office from November 22, 2010 through November 26, 2010 and from December 17,  
 7 2010 through December 20, 2010. Defense Attorney Gilbert Eisenberg will be out of the office  
 8 from December 22, 2010 through January 5, 2011. Defense Attorney Deborah G. Levine will be  
 9 out of the office on December 3, 2010. Defense Attorney John J. Jordan will be out of the office  
 10 from December 23, 2010 through January 3, 2011.

11 The parties further stipulate and agree that the time from November 19, 2010 to February  
 12 25, 2011 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C.  
 13 § 3161(h)(7)(A) on the basis that the ends of justice are served by taking such action which  
 14 outweigh the best interest of the public and the defendant in a speedy trial and also under subsection  
 15 (B)(iv) for continuity of counsel and effective preparation of counsel, taking into account the  
 16 exercise of due diligence.

17 DATED: November 18, 2010

18 /s/  
 DEBORAH R. DOUGLAS  
 Assistant United States Attorney

19 DATED: November 18, 2010

20 /s/  
 JOYCE LEAVITT  
 Assistant Federal Public Defender  
 Attorney for Defendant Edith Nelson

21 DATED: November 18, 2010

22 /s/  
 GILBERT EISENBERG  
 Attorney for Defendant Ronald Nelson

23 DATED: November 18, 2010

24 /s/  
 DEBORAH G. LEVINE  
 Attorney for Defendant Nelda Auncion

25 DATED: November 18, 2010

26 /s/  
 JOHN J. JORDAN  
 Attorney for Defendant Cristeta Lagarejos

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Plaintiff,	)	ORDER EXCLUDING TIME UNDER THE
	)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161 ET
v.	)	SEQ.
	)	
EDITH NELSON,	)	
RONALD NELSON,	)	
NELDA ASUNCION, and	)	
CRISTETA LAGAREJOS,	)	
	)	
Defendants.	)	

GOOD CAUSE APPEARING, and pursuant to the stipulation of the government and the above-captioned defendants, IT IS HEREBY ORDERED that the status conference date in this case, currently scheduled for November 19, 2010 at 9 a.m. before the Honorable D. Lowell Jensen, is VACATED and RESET for February 25, 2011 at 9 a.m.

IT IS FURTHER ORDERED that the time from November 19, 2010 to February 25, 2011 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for adequate preparation of counsel and continuity of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendants in a speedy and public trial and the failure to grant the requested

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1 continuance would unreasonably deny counsel the reasonable time necessary for effective  
2 preparation and continuity of counsel, taking into account due diligence.

3  
4 IT IS SO ORDERED.

5 Dated: November 19, 2010



HONORABLE D. LOWELL JENSEN  
United States District Judge